

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Yuan-Di C. Halvorsen et al.**

Serial No.: **Continuation of U.S.S.N.09/554,868** Art Unit: **1655**

Filed: Examiner: **Chakrabarti**

For: **DIFFERENTIATION OF ADIPOSE STROMAL CELLS INTO OSTEOBLASTS AND USES THEREOF**

Assistant Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the above-styled patent application, which is a continuation patent application of pending U.S. Patent Application Serial No.09/554,868, filed on May 19, 2000 on behalf of the inventors Halvorsen et al, please amend the application as shown below and consider the appended remarks.

AMENDMENT

In the Specification

Please amend the specification as follows:

Please insert on page 1, line 8 --This application is a continuation of US Application No. 09/554,868, filed on May 19, 2000.--

In the Claims

Please cancel claims 1-30 before calculating the filing fee in the above-styled patent application.

Please add the following new claims:

31. (new) An isolated adipose tissue-derived stromal cell that exhibits at least one characteristic of a non-adipocyte cell lineage.

32. (new) An isolated adipose tissue-derived stromal cell in combination with a substance that promotes differentiation.

33. (new) The substance of claim 32 selected from the group consisting of ascorbic acid, ascorbic 2-phosphate, bone morphogenetic proteins, or β -glycerophosphate.

34. (new) A cell isolated from adipose tissue that is adherent and has been induced to express at least one characteristic of a non-adipocyte cell lineage.

Information Disclosure Statement

Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicants cite the publications listed on the accompanying PTO-1449. Copies of all listed references are enclosed. Applicants wish to point out that the assignee of the present application,

Artecel Sciences, Inc. has obtained a nonexclusive license to the technology described in PCT Publication No. WO 00/53795 (PCT/US00/06232, filed March 10, 2000), published on September 14, 2000 and related applications, including the U.S. patent application claiming priority to Serial Nos. 60/123,711 filed March 10, 1999, and 60/162,462 filed October 29, 1999 from the University of Pittsburgh.

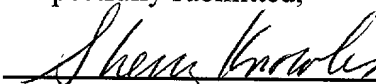
REMARKS

Applicants have canceled claims 1-30 and added new claims 31-34. Applicants have also amended the specification to indicate the present application is a continuation application of pending U.S. Patent Application Serial No. 09/554,868 filed on May 19, 2001.

CONCLUSION

Applicants respectfully submit that the above continuation patent application, as amended, is in condition for examination and requests such action. If any issues remain that may be resolved by telephone, the Examiner is requested to call the undersigned at 404.572.3541. If the Examiner determines any additional fee is required, the Commissioner is authorized to charge such fee to Deposit Account 11-0980.

Respectfully submitted,



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